

Full title	ICC (International Chamber of Commerce) Advertising and Marketing Communications Code 2018; Chapter D – Environmental Claims
Title of relevant section	Environmental Claims in Marketing Communications
Chapter	Chapter D
Introduction	<p>This chapter is to be read in conjunction with the General Provisions on Advertising and Marketing Communication Practice. Additional guidance for marketers interested in environmental claims is available in the ICC Framework for Responsible Environmental Marketing Communications</p> <p>Scope of Chapter D</p> <p>This chapter applies to all marketing communications containing environmental claims, i.e. any claim in which explicit or implicit reference is made to environmental or ecological aspects relating to the production, packaging, distribution, use/consumption or disposal of products. Environmental claims can be made in any medium, including labelling, package inserts, promotional and point-of-sales materials, product literature as well as digital interactive media¹¹. All are covered by this chapter.</p> <p>The chapter draws from national and international guidance, including, but not limited to, certain provisions of the International Standard ISO 14021 on 'Self-declared environmental claims,' relevant to the marketing communication context, rather than technical prescriptions.</p>
Terms	<p>Terms specific to environmental claims</p> <p>The following definitions relate specifically to this chapter and should be read in conjunction with the general definitions contained in the General Provisions:</p> <ul style="list-style-type: none">• the term "environmental aspect" means an element of an organisation's activities or products that can interact with the environment;• the term "environmental claim" means any statement, symbol or graphic that indicates an environmental aspect of a product, a component or packaging;• the term "environmental impact" means any change to the environment, whether adverse or beneficial, wholly or partially resulting from an organisation's activities or products;• the term "life cycle" means consecutive and interlinked stages of a product system, from raw material acquisition or generation of natural resources to final disposal;• the term "product" refers to any goods or services. "Product" normally includes the wrapping, container etc. in which the goods are delivered; however, in the environmental context it is often appropriate to refer separately to the packaging, which then means any material that is used to protect or contain a product during transportation, storage, marketing or use;• the term "qualification" means an explanatory statement that accurately and truthfully describes the limits of the claim;• the term "waste" refers to anything for which the generator or holder has no further use and which is discarded or released into the environment. <p>There are many different specific environmental claims, and use and importance may vary. These general principles, however, apply to all environmental claims. Guidance on the use of selected environmental claims often appearing in marketing communication, is provided in the ICC Framework for Responsible Environmental Marketing Communications.</p>

¹¹ See definition for digital interactive media in the Introduction of the Code

Article D1**Honest and truthful presentation**

Marketing communication should be so framed as not to abuse consumers' concern for the environment, or exploit their possible lack of environmental knowledge. Marketing communication should not contain any statement or visual treatment likely to mislead consumers in any way about the environmental aspects or advantages of products, or about actions being taken by the marketer in favour of the environment. Overstatement of environmental attributes, such as highlighting a marginal improvement as a major gain, or use of statistics in a misleading way ("we have doubled the recycled content of our product" when there was only a small percentage to begin with) are examples. Marketing communications that refer to specific products or activities should not imply, without appropriate substantiation, that they extend to the whole performance of a company, group or industry.

An environmental claim should be relevant to the particular product being promoted and relate only to aspects that already exist or are likely to be realised during the product's life, including customary and usual disposal or reasonably foreseeable improper disposal. It should be clear to what the claim relates, e.g. the product, a specific ingredient of the product, or its packaging or a specific ingredient of the packaging. A pre-existing but previously undisclosed aspect should not be presented as new. Environmental claims should be up to date and should, where appropriate, be reassessed with regard to relevant developments.

Vague or non-specific claims of environmental benefit, which may convey a range of meanings to consumers, should be made only if they are valid, without qualification, in all reasonably foreseeable circumstances. If this is not the case, general environmental claims should either be qualified or avoided. In particular, claims such as "*environmentally friendly*," "*ecologically safe*," "*green*," "*sustainable*," "*carbon friendly*" or any other claim implying that a product or an activity has no impact – or only a positive impact – on the environment, should not be used without qualification unless a very high standard of proof is available. As long as there are no definitive, generally accepted methods for measuring sustainability or confirming its accomplishment, no claim to have achieved it should be made.

Qualifications should be clear, prominent and readily understandable; the qualification should appear in close proximity to the claim being qualified, to ensure that they are read together. There may be circumstances where it is appropriate to use a qualifier that refers a consumer to a website where accurate additional information may be obtained. This technique is particularly suitable for communicating about after-use disposal. For example, it is not possible to provide a complete list of areas where a product may be accepted for recycling on a product package. A claim such as "Recyclable in many communities, visit [URL] to check on facilities near you," provides a means of advising consumers where to locate information on communities where a particular material or product is accepted for recycling.

Article D2**Scientific Research**

Marketing communications should use technical demonstrations or scientific findings about environmental impact only when they are backed by reliable scientific evidence.

Environmental jargon or scientific terminology is acceptable provided it is relevant and used in a way that can be readily understood by those to whom the message is directed. (See also article 9 of the Code - Use of technical/scientific data and terminology).

An environmental claim relating to health, safety or any other benefit should be made only where it is supported by reliable scientific evidence.

Article D3**Superiority and comparative claims**

Any comparative claim should be specific and the basis for the comparison should be clear. Environmental superiority over competitors should be claimed only when a significant

advantage can be demonstrated. Products being compared should meet the same needs and be intended for the same purpose.

Comparative claims, whether the comparison is with the marketer's own previous process or product or with those of a competitor, should be worded in such a way as to make it clear whether the advantage being claimed is absolute or relative.

Improvements related to a product and its packaging should be presented separately, and should not be combined, in keeping with the principle that claims should be specific and clearly relate to the product, an ingredient of the product, or the packaging or ingredient of the packaging.

Article D4

Product life-cycle, components and elements

Environmental claims should not be presented in such a way as to imply that they relate to more stages of a product's life-cycle, or to more of its properties, than is justified by the evidence; it should always be clear to which stage or which property a claim refers. A life-cycle benefits claim should be substantiated by a life-cycle analysis.

When a claim refers to the reduction of components or elements having an environmental impact, it should be clear what has been reduced. Such claims are justified only if they relate to alternative processes, components or elements which result in a significant environmental improvement.

Environmental claims should not be based on the absence of a component, ingredient, feature or impact that has never been associated with the product category concerned unless qualified to indicate that the product or category has never been associated with the particular component, ingredient, feature or impact. Conversely, generic features or ingredients, which are common to all or most products in the category concerned, should not be presented as if they were a unique or remarkable characteristic of the product being promoted.

Claims that a product does not contain a particular ingredient or component, e.g. that the product is "X-free", should be used only when the level of the specified substance does not exceed that of an acknowledged trace contaminant or background level¹².

Claims that a product, package or component is "free" of a chemical or substance often are intended as an express or implied health claim in addition to an environmental claim. The substantiation necessary to support an express or implied health or safety claim may be different from the substantiation required to support the environmental benefit claim. The advertiser must be sure to have reliable scientific evidence to support an express or implied health and safety claim in accordance with other relevant provisions of the Code.

Article D5

Signs and symbols

Environmental signs or symbols should be used in marketing communication only when the source of those signs or symbols is clearly indicated and there is no likelihood of confusion over their meaning. Such signs and symbols should not be used in such a way as falsely to suggest official approval or third-party certification.

Article D6

Waste Handling

Environmental claims referring to waste handling are acceptable provided that the recommended method of separation, collection, processing or disposal is generally accepted

¹² "Trace contaminant" and "background level" are not precise terms. «Trace contaminant» implies primarily manufacturing impurity, whereas «background level» is typically used in the context of naturally occurring substances. Claims often need to be based on specific substance-by-substance assessment to demonstrate that the level is below that causing harm. Also, the exact definition of trace contaminants may depend on the product area concerned. If the substance is not added intentionally during processing, and manufacturing operations limit the potential for cross-contamination, a claim such as "no intentionally added xx" may be appropriate. However, if achieving the claimed reduction results in an increase in other harmful materials, the claim may be misleading.

URL of source: <https://cms.iccwbo.org/content/uploads/sites/3/2018/09/icc-advertising-and-marketing-communications-code-int.pdf>

or conveniently available to a reasonable proportion of consumers in the area concerned (or such other standard as may be defined by applicable local law). If not, the extent of availability should be accurately described.

Article D7**Responsibility**

For this chapter, the rules on responsibility laid down in the General Provisions apply (see article 23).

Additional Guidance

Terms important in communicating environmental attributes of products tend to change. The ICC Framework for Responsible Environmental Marketing Communications provides additional examples, definitions of common terms, and a checklist of factors that should be considered when developing marketing communications that include an environmental claim.
